

AMENDMENT UNDER 37 C.F.R. § 1.116  
U.S. Appln. No. 10/679,416

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (withdrawn): A beam adjusting method comprising:

applying a beam onto a beam adjusting sample as claimed in claim 7; and

detecting the amount of beam passing through the beam adjusting sample;

wherein the beam vertically scans the two edges.

2. (withdrawn): The beam adjusting method according to claim 1, wherein the beam

adjusting sample is defined by the two edges, and has a through hole penetrating in a thickness

direction, and the beam has a scan direction changed over the through hole.

3. (withdrawn): The beam adjusting method according to claim 1, wherein the two

edges of the beam adjusting sample are two edges at the end portion of the beam adjusting

sample, and the beam has the scan direction changed over the beam adjusting sample or outside

the beam adjusting sample.

4. (withdrawn): The beam adjusting method according to claim 1, wherein the beam

is adjusted on the basis of an applied position of the beam and the amount of beam.

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5. (withdrawn): The beam adjusting method according to claim 1, further comprising applying the beam onto a microstructure placed on the beam adjusting sample to adjust a beam applying direction.

6. (withdrawn): The beam adjusting method according to claim 1, further comprising detecting the height position of the beam adjusting sample.

7. (currently amended): A beam adjusting sample including a flat surface being like a plate and having at least two edges in which adjacent edges are orthogonal to each other as viewed from above the beam adjusting sample,

wherein a microstructure is attached on the surface of the beam adjusting sample.

8. (original): The beam adjusting sample according to claim 7, wherein the beam adjusting sample is defined by the two edges, and has a through hole penetrating in a thickness direction.

9. (original): The beam adjusting sample according to claim 7, wherein the two edges are two edges at the beam adjusting sample end.

10. (canceled).

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11. (currently amended): The beam adjusting sample according to claim 740, wherein a film of an element having a high electron stopping power is coated on the surface of the microstructure.

12. (withdrawn): A beam adjusting device comprising:  
stage for laying a beam adjusting sample as claimed in claim 7;  
a beam generator for applying a beam onto the beam adjusting sample;  
a secondary electron detector for detecting a secondary electron generated by applying the beam;  
a position detector for detecting the position of the beam adjusting sample; and  
a beam detector disposed under the stage,  
wherein the beam detector detects an amount of electron beam passing through the beam adjusting sample.

13. (withdrawn): The beam adjusting device according to claim 12, wherein the beam adjusting sample is defined by the two edges, and has a through hole penetrating in a thickness direction, and the beam generator applies the electron beam to have a scan direction changed over the through hole.

14. (withdrawn): The beam adjusting device according to claim 12, wherein the two edges of the beam adjusting sample are two edges at the end of the beam adjusting sample, and

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the beam generator applies the beam to have the scan direction changed over the beam adjusting sample or outside the beam adjusting sample.

15. (withdrawn): The beam adjusting device according to claim 12, wherein the beam generator applies the beam onto a microstructure placed on the surface of the beam adjusting sample.

16. (withdrawn): The beam adjusting device according to claim 15, wherein a film of an element having a high electron stopping power is coated on the surface of the microstructure.

17. (previously presented): The beam adjusting sample according to claim 8, wherein an inner side face of the through hole is formed at an angle smaller than or equal to 90 degrees to the surface of the beam adjusting sample.